



CITY OF PRINCE ALBERT

BY-LAW NO. 10 OF 2005

PROCEDURE BYLAW

PROUD HERITAGE BOLD DESTINY

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CITY OF PRINCE ALBERT BYLAW NO. 10 OF 2005

A Bylaw of The City of Prince Albert to regulate the proceedings of City Council and Council's Committees

WHEREAS it is necessary to establish rules and provisions for the conduct of business in Council meetings and meetings of Council's Committees to control and maintain order; and,

WHEREAS Subsection 55(b) of *The Cities Act* provides that the Council may pass Bylaws for governing the proceedings of Council, Council Committees and other bodies established by Council, and the conduct of all members;

**NOW THEREFORE THE COUNCIL OF THE CITY OF PRINCE ALBERT
IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:**

PART I INTERPRETATION

Title

1. This Bylaw may be cited as "The Procedure Bylaw".

Purpose

2. The purpose of this Bylaw is to establish the Committees of Council, the functions of the Committees, and the rules of procedure to be used by Council and the Committees.

Definitions and Interpretations

3. (1) In this Bylaw:
- (a) **"Act"** means *The Cities Act*.
 - (b) **"Acting Mayor"** means the member appointed by Council to preside at any meeting of Council in the absence or incapacity of both the Mayor and the Deputy Mayor.
 - (c) **"Advisory Committee"** means a Committee appointed to consider, investigate and report on matters on an ongoing basis.
 - (d) **"Agenda"** means the written Order of Business.
 - (e) **"Amendment"** means an alteration to a main motion by substituting, adding or deleting a word or words without materially altering the basic intent of the motion.
 - (f) **"Amendment to an Amendment"** means an alteration of an amending motion by substituting, adding or deleting a word or words without materially altering the basic intent of the motion.
 - (g) **"Chair"** means the person who may, from time to time, be presiding over any meeting of City Council or a Committee of Council, as the case may be.
 - (h) **"City Manager"** means the person appointed as the City Manager for The City of Prince Albert and includes any duly authorized representative or designate of such person.
 - (i) **"Clerk"** means the person appointed as the City Clerk for The City of Prince Albert and includes any duly authorized representative or designate of such person.
 - (j) **"Committee"** means a Committee, Board, Authority or other body of Council, which has been duly appointed to deal with specific administrative matters and provides advice and/or recommendations to Council.
 - (k) **"Committee of the Whole"** means members present at a meeting of Council sitting in Committee, which Committee shall meet either

Incamera separate from the regular meeting or during the informal portion of the public meeting.

- (l) **"Communications"** includes, but is not limited to the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, newspaper/magazine article, etc.
- (m) **"Consent Agenda"** means a listing of items of business of a routine nature, which do not require substantial discussion and/or debate.
- (n) **"Council"** means the Mayor and Councillors of the City for the time being, elected pursuant to the provisions of *The Local Government Election Act* and whose term is unexpired, who have not resigned, and who continue to be eligible to hold office pursuant to the provisions of *The Local Government Election Act* and *The Cities Act*.
- (o) **"Councillor"** means a member of Council other than the Mayor.
- (p) **"Deputy Mayor"** means the Councillor who is appointed by Council, pursuant to Subsection 35(1) of this Bylaw, to act as Mayor in the absence or incapacity of the Mayor.
- (q) **"Mayor"** means the elected Mayor of The City of Prince Albert.
- (r) **"Member"** when used with reference to a member of Council means the Mayor or a Councillor.
- (s) **"Motion"** means a formal proposal placed before a meeting in order that it may be debated to a conclusion.
- (t) **"Motion to Receive and File"** means a motion which is made for the purpose of acknowledging the particular item, report or recommendation under consideration, and of having the item, report, or recommendation placed in the records of the City Clerk for future reference, with no additional action being taken at the present time.
- (u) **"Order of Business"** means the list of items comprising the Agenda and the order in which those items appear on the Agenda.

- (v) **"Point of Order"** means the raising of a question by a member with the view of calling attention to any departure from the Procedure Bylaw or the customary modes or proceedings in debate, or in the conduct of the Council's business.
- (w) **"Point of Procedure"** means a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand, in order to assist a member to make an appropriate motion, raise a point of order, understand the parliamentary situation or the effect of a motion.
- (x) **"Question of Privilege"** is the raising of a matter by a member:
 - (i) which occurs while the Council is in session, where:
 - (a) the rights, privileges, decorum or dignity of the Council collectively or the rights and privileges of a member individually have been affected,
 - (b) when a member believes that another member has spoken disrespectfully toward them or the Council, or
 - (c) when a member believes their comments have been misunderstood or misinterpreted by another member or members; or
 - (ii) when a member believes that comments made by the member outside the Council Chamber have been misinterpreted or misunderstood by the Community, the public or the news media in order to clarify his or her position.
- (y) **"Quorum"** is, subject to Sections 71 and 119 of *The Cities Act*:
 - (i) in the case of Council, a majority of the whole Council,
 - (ii) in the case of a Committee, a majority of the members appointed to the Committee.
- (z) **"Resolution"** means a formal determination made by Council or a Committee on the basis of a motion, duly placed before a regularly

constituted meeting or a Special Meeting of Council or a Committee for debate and decision, and is duly passed.

- (aa) **"Special Committee"** means a Committee appointed by Council at any time to deal with a specific issue and exist only for a length of time required to study the issue and make recommendations to Council.
 - (bb) **"Special Meeting"** means a meeting other than a regular scheduled meeting called pursuant to *The Cities Act* or the provisions of this Bylaw.
 - (cc) **"Standing Committee"** means a Committee established to address on going administrative matters within the scope and responsibilities of Council and are expected to provide periodic reports to Council presenting advice and/or recommendations on matters under consideration.
 - (dd) **"Subcommittee"** means a Committee established by a Committee, Commission or Board to review and report on an aspect of the Committee, Commission or Board's business and dissolve upon final report to their respective Committee, Commission or Board.
 - (ee) **"Two thirds (2/3) Vote"** means a condition imposed when a vote is taken on an issue, whereby approval is contingent on not less than two-thirds of the votes of members present cast being in the affirmative.
 - (ff) **"Working Group"** means a group consisting of members of Council and City Administration appointed to review and report on a specific issue(s) under the purview of Council.
 - (gg) Words importing the male persons include female persons and singular references include plural reference.
- (2) A reference in this Bylaw to an enactment of the Legislative Assembly of Saskatchewan is a reference to the enactment as amended from time to time.

Application

4. (1) This Bylaw applies to all meetings of Council and Committees, including Incamera Committee of the Whole Council meetings.
- (2) Notwithstanding Subsection (1), the following Boards and Committees may establish their own procedures:
 - (a) Board of Police Commissioners;
 - (b) Board of Revision;
 - (c) Development Appeals Board; and,
 - (d) any other Board or Committee as determined by resolution or by Bylaw of Council.
- (3) When any matter relating to proceedings arise which is not covered by a provision of this Bylaw, the matter shall be decided by reference to Bourinot's Rules of Order of Parliamentary Procedure.
- (4) In the event of any conflict between the provisions of this Bylaw and those contained in any of the other authorities set out above, the provision of this Bylaw shall apply.
- (5) Subject to Subsection (3), any ruling of the Mayor or the Committee Chair or other presiding member shall prevail, subject, however, to the jurisdiction of Council or the Committee to consider any appeals of those rulings.

PART II MEETINGS

First Meeting

5. (1) The first meeting of Council following a general election will be held on the next regularly scheduled Council meeting day.
- (2) At the first meeting of Council at least the following business will be conducted:

- (a) the Mayor and each Councillor will take an oath as prescribed by Section 68 of the Act; and,
- (b) the report of the Returning Officer will be received.

Regular Meetings

- 6. (1) City Council shall meet on the 2nd and 4th Monday of each month during the evening, commencing at 7:00 p.m. in the Council Chamber of the City Hall.
- (2) In the months of February, July, August and December, City Council shall only meet only on the 2nd Monday of the month.
- (3) Annually the Clerk will submit a regular schedule of Council meetings to Council for approval as set out in Subsection (1) and (2), or may recommend alternate meeting dates.
- (4) Notwithstanding the foregoing provisions, City Council may, by resolution, dispense with the holding of a regular meeting of City Council or alter the time of the holding of a regular meeting of City Council.
- (5) In the event of any meeting date falling on New Year's Day, Easter Monday, Victoria Day, Canada Day, the first Monday in August, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day or any day appointed as a holiday by proclamation of the Governor-General of Canada, the Lieutenant Governor of Saskatchewan, or His Worship the Mayor, such meetings shall be held at the same time on the next day that City Hall is scheduled to be open for business.

Special Meetings

- 7. (1) The Clerk shall call a special meeting of Council, whenever requested to do so, in writing, by the Mayor or a majority of the members. Such written request shall include all items of business to be transacted.
- (2) When a special meeting is to be held, the Clerk shall provide written notice of the time, date and place of the meeting to all members at least twenty-

four (24) hours prior to the meeting and, in general terms, of the business to be transacted at the meeting, and the notice may be delivered personally, left at the usual place of business or residence or at the request of the member, sent to the member by facsimile or electronic mail at the address specified by the member.

- (3) The Mayor may call a special meeting on any shorter notice, either verbal or written, that he considers sufficient, if a majority of members present give their consent, in writing, to the notice before the commencement of the meeting.
- (4) No business, other than stated in the notice, shall be transacted at a special meeting, unless a majority of members are present, in which case, by unanimous consent, any other business may be transacted.

Meeting through Electronic Means

8. A Council meeting may be conducted by means of a telephonic, electronic or other communication facility in accordance with Section 99 of the Act.

Notice of Meetings

9. (1) Notice of regularly scheduled Council meetings is not required to be given.
- (2) (a) If Council or Committee of the Whole Council Incamera changes the date, time or place of a regularly scheduled meeting, at least twenty-four (24) hours notice of the change will be given to:
 - (i) any members not present at the meeting at which the change was made; and,
 - (ii) the public.
- (b) A Council meeting held solely for the purpose of long-range or strategic planning may be held without notice to the public.

Method of Giving Notice

10. (1) Notice of a Council meeting is deemed to have been given to a member if the notice is:
 - (a) delivered personally;
 - (b) left at the usual place of business or residence of the member; or,
 - (c) at the request of the member, sent by facsimile or electronic mail to the address specified by the member.
- (2) Notice of a Council meeting is to be given to the public by posting notice of the meeting at City Hall at least twenty-four (24) hours prior to the Council meeting.

Actions in Public

11. (1) An act or proceeding of Council is not effective unless it is authorized or adopted by a Bylaw or a resolution at a duly constituted public meeting of Council.
- (2) Council may close all or any part of its meetings to the public if the matter to be discussed is within one of the exemptions of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*, which is Schedule "A", attached to and forming part of this Bylaw.

Committee of the Whole Council Incamera Meetings

12. (1) Where the Mayor and City Manager are of the opinion that it would be desirable to hold a Committee meeting of the Whole Council Incamera, City Council shall at the time specified by the Clerk in accordance with the provisions of Subsection 7(2) of this Bylaw meet as a Committee of the Whole Council Incamera to transact such business as the Committee deems advisable and to exclude any person or persons from the meeting.
- (2) Committee of the Whole Council Incamera shall report to City Council and no action of Committee of the Whole Council shall be binding on the City unless:

- (a) power to take such action is expressly conferred on Committee of the Whole Council by Legislation, Bylaw or Resolution of Council;
 - (b) outlined in the City's Administration Bylaw for the settlement of claims, grievances or lawsuits; or,
 - (c) Council has considered the report of the Committee of the Whole Council and if adopted, shall become the resolve of Council.
- (3) Whenever possible, City Council will endeavor to hold its Committee of the Whole Council Incamera meetings immediately preceding the regular Monday meeting of Council and the Committee shall convene at a time to be specified dependent upon the Agenda of the day.

Long Range or Strategic Planning Meetings

13. (1) City Council may, at the request of the Mayor, meet for the purposes of long-range or strategic planning and such meetings shall be closed to the public.
- (2) No business may be transacted at a meeting referred to in Subsection (1).
- (3) No minutes or record of proceedings shall be kept with respect to a meeting referred to in Subsection (1).

**PART III
ORDER OF BUSINESS**

Agendas

14. (1) The Clerk shall prepare the Agenda, for all regular and special meetings of Council and Committee of the Whole Council.
- (2) The Clerk shall ensure that copies of the Council and Committee of the Whole Council Agendas are:
- (a) delivered to each member, the City Manager and to the Heads of the City Departments who are entitled to receive copies so that it

- will be received in each case in the afternoon of the Thursday preceding the meeting of Council for which it was prepared; and,
- (b) made available to the John M. Cuelenaere Public Library, the news media, subscribers and to the general public in as many copies as may be required and determined by the Clerk from time to time.
- (3) (a) Subject to the other provisions of this Bylaw, every communication, petition, and application to appear as a delegation or other written application, must be received by the Clerk at, or before 4:45 p.m. on the Tuesday in the week preceding the meeting of Council, at which it is intended to be presented to Council.
 - (b) Subject to the other provisions of this Bylaw, every Report of Administration or Committee, must be received by the Clerk by the deadline, as set out in the Policy established by the City Manager with respect to submission of Reports.
 - (c) Notwithstanding Subsection (a) and (b), this provision does not apply to the submission of additional Reports or correspondences by the Mayor, City Manager or Committees of Council, which in the opinion of the Mayor or City Manager requires the immediate attention of Council.
- (4) Only the material which has been received by the Clerk by the time set out in Subsection (3) shall be considered at the meeting for which the Agenda is prepared. Council may, on a majority vote, permit additional material on the Agenda provided that such additions pertain to the subject matter on the Agenda.

Order of Business at Meetings

- 15. (1) The general Order of Business of every regular Council meeting shall be as follows:
 - Call to Order
 - Prayer
 - Adoption of Minutes

Approval of Agenda
Notice of Proclamations
Public Hearings & Appeals
Presentations, Delegations & Related Reports
Communications/Petitions Package
Committee of the Whole: Consent Agenda
Reports of Administration & Committees
Unfinished Business

Mayor & Councillors Forum
Inquiries
Introduction & Consideration of Bylaws
Unfinished Business – Bylaws
Giving Notice
Motions
Public Forum (4th Monday of each month)
Adjournment

- (2) The business shall, in all cases, be taken up in the order in which it stands on the Agenda, unless:
 - (a) otherwise determined upon motion passed by a vote of the majority of the members present to approve the Agenda and which vote shall be placed without debate; or,
 - (b) the Chair determines during the proceedings of Council that for public interest a matter be moved forward to be dealt with promptly.
- (3) Notwithstanding the Order of Business set out in Subsection (1), where the same subject matter appears in more than one place in the same Agenda, Council may:
 - (a) deal with all items related to the matter;
 - (b) deal with such items as they appear on the Agenda; or,
 - (c) refer the items for consolidation into one (1) Report.
- (4) The Clerk will distribute a consolidated Order of Business prior to each Council meeting listing all order of business and registered speakers.

Commencement of Council Meeting

16. (1) At the hour set for the meeting, or as soon as there shall be a quorum present, the Mayor, or in his absence the Deputy Mayor, shall take the Chair and call the members to order.
- (2) In case neither the Mayor nor the Deputy Mayor is in attendance within fifteen (15) minutes after the hour appointed, and subject to a quorum being present, the immediately previous Deputy Mayor shall call the meeting to order and shall preside over the meeting until the arrival of the Mayor or the Deputy Mayor, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.
- (3) If a quorum is not present thirty (30) minutes after the time appointed for the meeting, the Clerk shall record the names of the members present at the expiration of such time and announce that Council shall then stand adjourned until the next meeting, unless a Special Meeting is called in the meantime.
- (4) Subject to Section 71 and 119 of the Act, or any other statutory provision, if at any meeting the number of members is reduced to less than the number required for a quorum, Council shall stand adjourned.
- (5) Any unfinished business remaining at the time of the adjournment, due to the loss of the quorum, shall be considered at the next regular meeting, or it shall be placed on the Agenda for a Special Meeting called for the purpose.
- (6) Members are encouraged to notify the Clerk when the member is aware that he/she will be absent from any meeting of Council.

Quorum

17. A Majority of Members (more than half the total of the Council) is necessary to constitute a quorum of the Council.

Minutes

18. (1) The Clerk shall:
 - (a) Attend all meetings of Council and Committee of the Whole Council and truly record in the minutes, without note or comment, all resolutions and other proceedings of the Council;
 - (b) Enter in the minutes of every meeting the names of the members present at the meeting;
 - (c) If requested by any member, record the name and vote of every member voting on any matter or question;
 - (d) Record in the minutes all declarations of pecuniary interest, any abstentions and voting by any member with respect to any matter or question before Council and the fact that a member leaves his seat or the Chamber after declaring a pecuniary interest pursuant to the Act; and,
 - (e) Ensure:
 - (i) That the minutes of each meeting are approved at the next regular meeting of the Council; and,
 - (ii) That the last page of the minutes for each meeting is signed by the presiding member and the Clerk or the Clerk's designate.
- (2) The Clerk shall ensure that the Council minutes are distributed to members of Council at least forty-eight (48) hours prior to the minutes being dealt with and considered for approval by City Council at a subsequent meeting.
- (3) Any member may make a motion amending the minutes to correct any mistakes.

Notice of Proclamations

19. (1) The Council of The City of Prince Albert recognizes the symbolic gesture of endorsing special days, weeks, or a month in support of various community groups and their causes.
- (2) All requests for proclamations shall be submitted to the Clerk in writing, outlining the date to be proclaimed, specific names of day, week or month requested, the reason for the proclamation and information about the group, including contact person and telephone number at least fourteen (14) days prior to the proposed date for the proclamation. However, exceptions may be made in extenuating circumstances.
- (3) The Clerk will forward the request to the Mayor for review, approval and signature.
- (4) Subject to The Saskatchewan Human Rights Code the Mayor may, in his sole discretion, approve the proclamation submitted pursuant to subsection (2), provided the proclamation does not:
- (a) promote any commercial business;
 - (b) involve any person or organization which promotes hatred of any person or class of persons or otherwise involves illegal activity; or,
 - (c) contain any inflammatory, obscene or libelous statement.
- (5) The Mayor may:
- (a) issue the proclamation:
 - (i) in the words and form of the proclamation as submitted; or
 - (ii) in words chosen by the Mayor; and,
 - (iii) in a form contained in Schedule "B" attached to and forming part of this Bylaw; or,
 - (b) forward the proclamation for consideration by Council.
- (6) Once the proclamation has been signed, the proclamation shall be noted on the appropriate Council Agenda for information only.

- (7) Council, having delegated the administration of proclamations, shall not hear delegations related to proclamation requests, unless specifically approved by City Council.
- (8) Each organization shall be responsible for disseminating the proclamation to the media and making arrangements for the attendance of the Mayor or Councillors at the specific function or event.
- (9) The local print media are requested:
 - (a) not to publish any proclamation purporting to be proclaimed by the Mayor unless it bears his signature; and,
 - (b) when publishing a proclamation by the Mayor, that the proclamation contain only the following:
 - (i) the crest of The City of Prince Albert;
 - (ii) the Mayor or designates signature;
 - (iii) the name of The City of Prince Albert; and,
 - (iii) the text of the proclamation.

Public Hearing

20. (1) If a public hearing is required by any Act it shall be conducted in accordance with the provisions of this section.
- (2) The order of every public hearing shall be as follows:
 - (a) the Mayor shall declare the hearing open;
 - (b) the administration shall present a Report on the Bylaw or resolution under consideration including the administration's recommendations;
 - (c) if it is a hearing under *The Planning and Development Act, 1983*, the Municipal Planning Commission may make a presentation to Council with respect to matters, which it has considered and may advise Council of its recommendation, if any;
 - (d) if it is a hearing under *The Planning and Development Act, 1983*, the applicant shall be given an opportunity to make representations on the matter under consideration;

- (e) Council shall hear any person or group of persons or spokesperson acting on behalf of another person or group who wish to make representations on the matter under consideration;
 - (f) if it is a hearing under *The Planning and Development Act, 1983*, at the conclusion of the speakers, the applicant shall be given an opportunity to respond to the representations of other people;
 - (g) Council may request further information from administration;
 - (h) Council shall formally receive all correspondence and written Reports submitted to it on the subject matter of the hearing;
 - (i) the Mayor shall declare the hearing closed; and,
 - (j) Council shall consider the Bylaw or resolution. At the conclusion of the deliberations, Council shall vote on the Bylaw or resolution in accordance with the procedures contained in this Bylaw.
- (3) The time allowed for each person making representations shall be five (5) minutes.
 - (4) A hearing may be adjourned to a certain date.
 - (5) A member shall abstain from taking part in the debate or voting on the Bylaw or resolution, which is the subject of the hearing if the member was absent from all of the public hearing.

Presentations

- 21. (1) Any person(s), organization(s), corporation(s), or appointed official(s) of The City of Prince Albert wishing to address City Council to inform Council of matters of significance to the City may be permitted to do so provided that such persons have submitted a request in writing in accordance with Subsection 22(1) of this Bylaw for delegations to the Clerk by 4:45 p.m. on the Tuesday preceding the Council meeting.
- (2) Presentations shall be restricted to the following:
 - (a) Presentations by City staff or consultants retained by the City providing information is related to municipal operations (5 minutes);

- (b) Presentations of information related to affiliated Committee/Boards, Agencies (5 minutes); and,
 - (c) Presentations from senior levels of government or other municipal governments (5 minutes).
- (3) Notwithstanding Subsection (1), the City Manager, in consultation with the Agenda Review Working Group, may defer any presentation(s) to a future Council or Committee meeting.

Delegations

22. (1) Every delegation wishing to appear before Council shall:
- (a) Submit a letter, which is to be printed, typewritten or legibly written, to the Mayor and Council in care of the Clerk by 4:45 p.m. of the Tuesday preceding the Council meeting requesting to be placed on the Agenda to appear as a delegation before Council. The letter shall include the date of the meeting at which they wish to appear, the subject or topic to be discussed, the name and correct mailing address of the spokesperson, and telephone number where the representative of the delegation can be reached during the day, be originally signed with the correct name of the writer, except when submitted by facsimile; and,
 - (b) Submit a brief clearly setting out the full text of their presentation and the request being made of Council.
- (2) The brief submitted pursuant to Subsection 1(b) shall be the delegation's presentation to Council. Bound documents or studies in support of the delegation's brief shall, if sufficient copies are provided by the delegation, be circulated with the Agenda, but will not be reproduced.
- (3) No PowerPoint presentations shall be permitted unless approved by City Council and if approved the presentation must comply with the provisions of Subsection (9).

- (4) On receipt of an application and acceptable brief, the Clerk shall:
 - (a) If the application and brief deals with a subject which is on the Agenda, place the matter on the Agenda for the meeting at which the related item is to be considered.
 - (b) If the application and brief deals with a subject, which is not on the Agenda, the Clerk shall refer the application and brief to the City Manager or a Council Committee, Commission or Board.
- (5) Notwithstanding Subsection (4)(a), the City Manager, in consultation with the Agenda Review Working Group, may defer any delegation(s) to a future Council or Committee meeting.
- (6) In the event that a delegation makes an application to the Clerk after the 4:45 p.m. deadline, regarding a subject which is on the Agenda, the Clerk will bring the request to the attention of Council. Delegations will be advised by the Clerk that they may not be heard by Council unless the majority of members vote to allow the delegation to speak within the motion to Approve the Agenda.
- (7) No delegation shall be heard unless they have
 - (a) complied with Subsection (1); and,
 - (b) Council has passed a resolution during the Approval of Agenda that all delegations listed on or added to the Agenda be heard in the order approved by the Approval of Agenda and when called forward by the Mayor.
- (8) Delegations will be permitted from the gallery without prior registration only during the Public Forum or Public Hearing/Appeals portion of a meeting.
- (9) Persons speaking before Council shall address their remarks to the stated business. Delegations will be limited to speaking only once. Rebuttal or cross debate with other delegations shall not be permitted.
- (10) A maximum of five (5) minutes shall be allotted for each delegation to present his/her position of support or opposition. Where there are numerous delegates taking the same position on a matter, they are

encouraged to select a spokesperson to present their views. Delegations are encouraged not to repeat information presented by an earlier delegation. The five (5) minute time line shall be strictly enforced. The Mayor shall set the timer at the commencement of the delegation's presentation. The Mayor shall at the conclusion of the five (5) minutes, inform the delegation that the time limit is up. Only upon a verbal motion to extend the five (5) minute limitation adopted by a majority of members shall the five (5) minute limit be extended.

- (11) Delegations will not be permitted to assume any unused time allocated to another delegation.
- (12) The Chair may curtail any delegation, any questions of a delegation or debate during a delegation for disorder or any other breach of this Bylaw and, if the Chair rules that the delegation is concluded, the person or persons appearing shall withdraw from the delegation podium, and the decision of the Chair shall not be subject to any challenge.
- (13) Delegations shall not:
 - (a) speak disrespectfully of Her Majesty the Queen; or official representatives of her government;
 - (b) use offensive words in referring to any member or to any official of the City or members of the public;
 - (c) shout or immoderately raise their voice or use profane, vulgar, or offensive language;
 - (d) speak on any subject other than the subject for which they have received approval to address Council;
 - (e) disobey a decision of the Chair or Council; or,
 - (f) enter into cross debate with other delegations, Administration, members or the Chair.
- (14) The conduct of delegations while in attendance at a Council meeting shall be subject to the requirements set out in Section 39 of this Bylaw.
- (15) Upon the completion of a presentation to Council by a delegation, any discourse between members and the delegation shall be limited to

members asking questions for clarification and obtaining additional, relevant information only. Members shall not enter into debate with the delegation respecting the presentation. Once a motion has been moved and seconded, no further representation or questions of the delegation shall be permitted.

- (16) When the Clerk refers a delegation's application and brief to the City Manager or a Council Committee, Commission or Board the following procedure shall be followed:
- (a) the brief shall be deemed to be referred to the City Manager or a Council Committee, Commission or Board set out in the Clerk's recommendation; and,
 - (b) the delegation shall be advised of the referral of their application and brief and the time and place of the next meeting of that Committee, Commission and Board the application and brief may have been referred to and shall have the right to attend that meeting and to request permission to make a presentation.

Communications/Petitions Package

23. (1) Where a person, or a group of persons, wishes to bring any matter to the attention of Council, or to have any matter considered by Council, but do not request an opportunity to speak, a letter, petition or other communication shall be addressed to the Mayor and Council in care of the Clerk.
- (2) Any communication, pursuant to Subsection (1), shall:
- (a) be printed, typewritten or legibly written;
 - (b) clearly set out the matter at issue and the request made of Council in respect thereof;
 - (c) (i) be originally signed with the correct name of the writer, except when submitted by facsimile; and,
(ii) contain the correct mailing address of the writer; and,
 - (d) in the case of a petition:

- (i) be signed by at least two petitioners; and,
 - (ii) set out the name and residential address of each petitioner.
- (3) On receipt of a communication intended for Council, the Clerk shall include it as an item in the Communications/Petitions Package on the Agenda with a note for the recommended disposition of the item for the next regular meeting of Council, in full or in summary form, as the Clerk sees fit.
- (4) A copy of the communications which have been referred to the City Manager or Department Head, pursuant to Subsection 3(b), shall be included in the next Communications/Petitions Package for the information of members, or included with a Report of Administration provided for members to review along with the communication.
- (5) Members will be governed by the following rules respecting questions relative to communications:
 - (a) Members are encouraged to contact the appropriate Department Head prior to the Meeting to raise questions or clarify issues relevant to the matter and to secure additional information as may be required.
 - (b) Questions raised during the Communications/Petitions Package portion of the meeting shall not form part of the formal question period. The Clerk shall not formally record these questions, however Department Heads shall have regard to providing a verbal response to the matters raised and will make every effort to provide the information to the members within a reasonable time.
 - (c) A motion directing administration to undertake certain action with respect to any item of communication shall be in order provided it is moved and seconded.
 - (d) All Communications and Petitions listed under the Communications/Petitions Package Section of the Agenda shall be dealt with by referring to the recommendations provided by the Clerk pursuant to Subsection (3) and by adopting one (1) motion

related to the recommendations, notwithstanding that the motion may be amended to alter the recommended course of action.

- (e) A Member may speak to an item on the Communications/Petitions Package prior to consideration of the adoption of the matters listed on the Communications/Petitions Package; however, if a members wishes to amend the recommendation of an item(s) listed on the Communications/Petitions Package, the member shall request the item(s) be removed from the Communications/Petitions Package for consideration and debate separately prior to the adoption of the motion to approve the Communications/Petitions Package.
 - (f) Any issue of jurisdiction on any matter of communication before the Council shall be determined by the Chair. The decision of the Chair shall be final without recourse to a challenge of the Chair.
- (6) Bound documents or studies attached to correspondence referred to in Subsection (1), if sufficient copies are provided will be circulated with the Agenda, but will not be reproduced.

Committee of the Whole

24. (1) When it shall be resolved that Council go into Committee of the Whole, the Mayor or other presiding member shall leave the Chair, and the Deputy Mayor, or in his absence, the Acting Deputy Mayor, shall be the Chair of the Committee of the Whole who shall maintain order in the Committee and who shall subsequently report the proceedings of the Committee to Council.
- (2) The rules governing the procedure of the Council and conduct of members in Council shall be observed in Committee of the Whole, so far as they are applicable, except that:
- (a) no motion is required to be seconded;
 - (b) members are not required to stand to address the Chair;
 - (c) a motion for adjournment shall not be permitted; or,

- (d) no member shall speak more than once until every member who wishes to speak has done so, and then only to provide new information or to seek clarification from the Chair or other members or from Administration.
- (3) Questions of order arising in Committee of the Whole shall be decided by the Chair, subject to appeal to the Committee.
- (4) A member may, at any time, move that the Committee rise and report, the question shall be decided without debate.
- (5) When the Committee has risen, the Chair of the Committee shall report the Committee's findings or decision to Council, and a motion to adopt the Committee's report, if made, shall be deemed to mean approval of the Committee's findings or decisions.

Scandalous, Criminal or Offensive Communications or Delegations

25. Notwithstanding Sections 22 and 23 of this Bylaw if, in the opinion of the Clerk, a communication or an application to speak to Council, is scandalous, criminal or offensive to the accepted rules of address to an elected body, the Clerk shall refer the matter to a Committee of the Whole Council Incamera Meeting for direction as to its disposition.

Consent Agenda

26. (1) The Clerk shall compile a Consent Agenda which lists items on the Order of Business that are routine matters, Reports provided for information purposes, Reports in response to Council Inquiries, and matters of a non-controversial nature.
- (2) In compiling the Consent Agenda, the Clerk shall list, but not be limited to the following items as an example of consent items:
- (a) site plans;
 - (b) tenders within Budget;
 - (c) property sales and purchases;

- (d) leases;
 - (e) legal Agreements;
 - (f) easements and encroachments;
 - (g) traffic and zoning Bylaw amendments;
 - (h) street and alley closing Reports; or,
 - (i) account lists.
- (3) All reports under the Consent Agenda section of the Agenda shall be deemed to be one (1) document and shall be disposed of with one (1) motion.
- (4) A member may speak to an item on the Consent Agenda prior to the consideration of the adoption of the matters listed on the Consent Agenda; however,:
- (a) if a member wishes to add an item(s) to the Consent Agenda, the member shall request that an item(s) be added to the Consent Agenda for consideration at that time, if there are no objections.
 - (b) if a member wishes to amend the recommendation of an item(s) listed on the Consent Agenda, the member shall request the item(s) be removed from the Consent Agenda for consideration and debate during consideration of Reports of Administration and Committees.

Mayor and Councillors Forum

27. (1) Statements shall be intended for the purpose of sharing information about events, activities or community functions and general work of members on behalf of their Council colleagues, constituents and the Community.
- (2) All comments will be verbal only and shall not be recorded in the minutes of the meeting.

Inquiries

28. (1) Inquiries shall be provided in writing to the Clerk immediately following conclusion of the meeting.

- (2) Each inquiry shall be brief and to the point and shall be answerable by brief statements and no preamble or introduction shall be permitted to explain the reason for such inquiry.
- (3) All inquiries from a member, unless answered sufficiently by Administration at that Council meeting, shall be responded to in writing by the City Manager or Department Head and shall be included on a subsequent Council Agenda.
- (4) When a Department Head or the City Manager are of the opinion that the City will be required to expend considerable staff time at the expense of other responsibilities, is outside the jurisdiction of the City or for any other reason to be specified by the City Manager or Department Head, the City Manager or Department Head shall report the matter to the next meeting of City Council, before providing a report in response to the inquiry.
- (5) Notwithstanding anything else contained in this section or elsewhere in this Bylaw, the subject matter of an inquiry is not debatable.
- (6) Inquiries may be of general municipal concern, policy related or ward specific in nature.

Notice of Motion

29. (1) A member wishing to introduce a new matter for consideration by Council shall submit the motion in writing duly signed by the member and setting out the exact motion proposed and the date at which the motion is to be considered by City Council to the Clerk.
- (2) Council may by a two-thirds (2/3) vote of all members present dispense with a notice as provided for in Subsection (1) and allow any motion which would require notice to be introduced without such notice having been given, but such motion may be tabled, referred or otherwise dealt with as is the case with any other matter before Council.

Bylaws

30. (1) Where a Bylaw is presented to Council for enactment, the Clerk shall cause the number and short title of the Bylaw to appear on the Agenda in the appropriate place.
- (2) The Clerk shall cause the Bylaw to be copied in full and forwarded to members with the Agenda.
- (3) Every Bylaw shall have three (3) readings.
- (4) A Bylaw shall be passed when a majority of the members present voting on the third reading, vote in favour of the Bylaw, provided the Act, some other applicable Provincial Statute or City Bylaw does not require a greater majority.
- (5) For the purpose of introducing all Bylaws on the Agenda for first reading, the Bylaws shall be grouped specifying all Bylaw numbers with a motion that the Bylaw numbers specified in the grouping "be introduced and read a first time".
- (6) Each member present at the meeting at which first reading is to take place must be given or have had the opportunity to review the full text of the proposed Bylaw before the Bylaw receives first reading.
- (7) Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
- (8) If a member does not elaborate on the subject matter of the Bylaw or phrase his question so as to set out his opinion for or against the Bylaw, notwithstanding the provisions of Subsection 56(4) of this Bylaw, he may ask a question or questions concerning the Bylaw.
- (9) For the purposes of introducing all Bylaws on the Agenda for second reading, the Bylaws shall be grouped specifying all Bylaw numbers with a motion that the Bylaw numbers specified in the grouping "be read a second time".

- (10) After a member has made a motion for second reading of a Bylaw, Council may:
 - (a) debate the substance of the Bylaw; and,
 - (b) propose and consider amendments to the Bylaw.
 - (c) If, after the motion for second reading is introduced, any member wishes to amend or debate in detail any of the Bylaws set out in the grouping for second reading, they shall request that the Bylaw be withdrawn from the group and considered individually. The motion for second reading of all such Bylaws shall be voted upon separately.
- (11) A proposed amendment shall be put to a vote and if carried shall be considered as having been read a first time and incorporated in the Bylaw.
- (12) The Clerk shall be responsible for keeping a record of:
 - (a) any amendments to a Bylaw passed by Council; and,
 - (b) amendments reported by Committee of the Whole.
- (13) A Bylaw shall not be given more than two (2) readings of a proposed Bylaw at any one (1) meeting except by the unanimous vote of the members present at the meeting. The following procedure shall be followed:
 - (a) For the purposes of providing unanimous consent all Bylaws on the Agenda, which have received two (2) readings and have not been amended shall be grouped specifying all Bylaw numbers with a motion that Council consents to the Bylaw numbers specified in the grouping "going to third reading at this meeting".
 - (b) If a member does not support one or more of the Bylaws specified in the grouping going to third reading at the meeting, they shall, before the motion is put, request that the Bylaw or Bylaws be removed from the grouping and considered separately. The motion of consent on all such Bylaws shall be voted upon separately.
 - (c) For the purposes of providing unanimous consent, all Bylaws on the Agenda which were amended at second reading shall be

considered individually by specific Bylaw numbers with a motion that Council consent to the Bylaw number "going to third reading at this meeting".

- (d) If unanimous consent for the Bylaw to go to third reading at the meeting is not obtained, the Bylaw will be brought forward to a subsequent meeting of Council by the Clerk, at which time an affirmative vote of a majority of Council is required to pass the Bylaw.
- (14) For the purposes of introducing Bylaws for third reading, the Bylaws shall be grouped specifying all Bylaw numbers with a motion that the Bylaw numbers specified in the grouping "be read a third time".
- (15) If, after the motion for third reading is introduced, any member wishes to amend or debate in detail any of the Bylaws set out in the grouping for third reading, they shall request that the Bylaw be withdrawn from the group and considered individually. The motion for third reading on all such Bylaws shall be voted upon separately.
- (16) All Bylaws, which were amended at second reading, shall be considered individually by specific Bylaw number with a motion "that the Bylaw be read a third time".
- (17) It shall not be necessary to read a Bylaw aloud for third reading, and any amendments passed to the Bylaw shall be assumed to be incorporated into the Bylaw on third reading, at which stage the Bylaw comes into force and takes effect unless the Bylaw specifies otherwise.
- (18) A Bylaw may be amended at third reading, providing the amendment is of a minor nature and provided the Bylaw has not received any statutory approvals.
- (19) The Clerk shall be empowered to correct any typographical error that may not have been corrected at the time of submission to Council and the Bylaw shall have the same status as if Council had corrected same.
- (20) When a Bylaw has been given three (3) readings by Council, it:
 - (a) becomes a municipal enactment of the City; and,

- (b) is effective immediately unless the Bylaw or an applicable Provincial Statute provides otherwise.
- (21) After passage, every Bylaw shall be signed by the Mayor and the Clerk, pursuant to Subsection 89(3) of the Act and marked with the Corporate seal of the City.
- (22) The Clerk is the officer designated to consolidate the Bylaws of the City in accordance with Section 27 of the Act.

Public Forum

- 31. (1) Members of the public may speak to Council, on matters of civic relevance, on the 4th Monday of each month.
- (2) Any member of the public wishing to do so, may appear at Council's meeting without submission of a written letter, petition or correspondence to the Clerk for the Council agenda.
- (3) Any member of the public intending to appear at Public Forum, shall pre-register with the Clerk prior to 12:00 noon on the day of the Council meeting so that their name may be placed on a speakers list.
- (4) The total time allowed to make a presentation shall be not more than five (5) minutes per individual or delegation.

Recess

- 32. (1) The Council may recess at any time during the meeting.
- (2) A motion to recess shall be seconded and must state the time of duration of the recess, and must be passed by a majority of the members present.
- (3) The Council may reconvene sooner than the time mentioned in the motion of recess, but must not reconvene later than fifteen (15) minutes after the time specified for reconvening or the meeting shall be deemed to be adjourned due to a lack of quorum.

Adjournment

33. (1) All regularly scheduled Council meetings shall stand adjourned when the Council has completed all business as listed on the Order of Business or upon the arrival of 11:00 p.m.
- (2) Notwithstanding Subsection (1), a majority of the members present may extend a regularly scheduled Council meeting beyond 11:00 p.m. by unanimous vote of all members present.
- (3) If a member is speaking at 11:00 p.m., the Mayor or Chair shall wait until that person is done speaking before asking Council to consider whether it wants to extend the time of the meeting.
- (4) Any matters of business which remain on the Agenda at the time Council adjourns its meeting shall be placed on the Agenda of the next regularly scheduled Council meeting, unless a resolution of Council to re-convene the Council meeting to another day and time prior to the next regular meeting of Council is adopted by majority vote.

PART IV COUNCIL PROCEDURES

Mayor

34. The Mayor shall preside, when in attendance, at all meetings of City Council unless another member is required or permitted to preside pursuant to the Act or other applicable law or the terms of this Bylaw.

Appointment of Deputy Mayor

35. (1) The Council shall, at its first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint from its members a Deputy Mayor who shall hold office for a term of one and one-half (1½) months or for such longer period as the Council may decide, and in any event until a successor is appointed.

- (2) (a) Subject to Subsection (1), Councillors shall be surveyed prior to the appointments being forwarded for consideration by Council as to the most convenient time available; and, if no consensus is reached, the appointment shall be made alphabetically until all members have been designated Deputy Mayor.
- (b) Notwithstanding the provisions of Subsection (a), City Council may by resolution allow one (1) member to change places with another member as Deputy Mayor for a one and one-half (1½) month period, but only with the mutual consent of both members, otherwise, the Deputy Mayor appointments must continue in the order as originally designated by Council.
- (3) If the Mayor, for any reason, is unable to perform the duties of his office, the Deputy Mayor shall have all of the powers of the Mayor during the inability.
- (4) If the Deputy Mayor, for any reason, is unable to perform the duties of his office, the member that last acted as Deputy Mayor shall assume those duties during the inability.

Appointment of Acting Mayor

36. (1) When a vacancy arises in the office of the Mayor, the Council shall, at its next meeting, appoint a member to act as Mayor.
- (2) The member to be appointed, pursuant to Subsection (1), shall be elected by a majority of the members present.
- (3) Where, on the addition of the ballots, two (2) members have an equal number of votes, the Clerk shall:
 - (a) write the names of those members separately on blank sheets of paper of equal size, colour and texture;
 - (b) fold the sheets in a uniform manner so the names are concealed;
 - (c) deposit them in a receptacle; and,
 - (d) direct a person to withdraw one (1) of the sheets.

The member whose name is on the sheet withdrawn pursuant to Subsection 3(d) shall be declared elected.

Conduct of Council Meetings

37. (1) All meetings of Council shall be held openly and no person shall be excluded, except for improper conduct.
- (2) Notwithstanding Subsection (1), where the Mayor and City Manager are of the opinion that it would be advisable for members to meet as a Committee of the Whole Council Incamera, to discuss any matters of a confidential nature, members may at the request of the Mayor and City Manager and in accordance with the provisions of Section 12 of this Bylaw meet as a Committee Incamera.
- (3) The Mayor, or in his absence, the Deputy Mayor or Acting Mayor, shall preside at all meetings of Council.
- (4) Subject to being overruled by a majority vote of members, which vote shall be taken without debate, the Mayor or presiding member:
- (a) shall maintain order and preserve decorum of the meeting;
 - (b) shall decide points of order without debate or comment, other than to state the rule governing;
 - (c) shall determine which member has a right to speak;
 - (d) shall ascertain that all members who wish to speak on a motion have spoken thereon, and that the members are ready to vote by asking the question, "Are you ready for the question?" and shall thereafter put the vote;
 - (e) shall rule when a motion is out of order; and,
 - (f) may call a member to order.
- (5) The Mayor, or presiding member, may leave the Chair for the purpose of taking part in the debate, or for any other reason, and in such case, shall call on the Deputy Mayor, or in his absence, the Acting Deputy Mayor to take his place until he resumes the Chair.

Persons Allowed Within the Bar

38. No person, except members, the City Manager, the Clerk, the Clerk's Recording Secretary, the City Solicitor, other members of the administration as authorized by the City Manager and such persons as are permitted by the Mayor shall be allowed to come within the Bar during the sittings of the Council, without permission of the Mayor or other presiding member.

Conduct of Public

39. (1) Members of the public who constitute the gallery in the Council Chamber during a Council meeting:
- (a) shall respect the decorum of Council and refrain from public outbursts; shouting; or behavior intended to disrupt the debate, discussion and/or general proceedings of the Council; and,
 - (b) shall not address Council without permission of the Council.
- (2) (a) The Mayor or presiding member may cause to be expelled or excluded, any person who creates any disturbance or acts improperly during a meeting; and,
- (b) every person who refuses to leave when requested to do so may be removed.
- (3) The public shall comply with Council's established Policy with respect to dress code and protocol as may be amended from time to time.
- (4) No member of the public shall bring into the Council Chamber a cellular phone or similar electronic device, unless the phone or device is programmed and remains programmed so as to prevent an audible tone or ring.

Improper Conduct of Members

40. (1) The Mayor or presiding member may, at any meeting, cause to be expelled or excluded, any member who creates any disturbance or acts improperly during a meeting.
- (2) When members wish to speak at a Council meeting, they shall obtain the approval of the Chair before doing so and upon approval the member shall stand and address all comments to the Chair of the Council meeting.
- (3) When members or delegations are addressing Council, every other member shall:
- (a) remain quiet and seated;
 - (b) not interrupt the speaker, except on a point of order; and,
 - (c) not carry on any private conversations, which disturbs the speaking.
- (4) When members are addressing the Chair, they shall:
- (a) not speak disrespectfully of Her Majesty the Queen, or official representatives of her government;
 - (b) not use offensive words in referring to any member or to any official of the City or members of the public; and,
 - (c) not shout or immoderately raise their voice or use profane, vulgar, or offensive language.
- (5) When members wish to leave the Council Chamber while a meeting of Council is in progress, they shall rise and be acknowledged by the Mayor or presiding member before leaving their place.
- (6) No member shall leave the Council Chamber after a question is put to a vote, until the vote is taken.
- (7) Members and the Administration shall comply with Council's established Policy with respect to dress code and protocol as may be amended from time to time.
- (8) No member or the Administration shall bring into the Council Chamber a cellular phone or similar electronic device, unless the phone or device is

programmed and remains programmed so as to prevent an audible tone or ring.

Points of Order, Procedure and Questions of Privilege

41. (1) Whenever any point of order, point of procedure, or question of privilege arises, it shall be immediately dealt with.
- (2) Whenever a question of privilege arises, the Chair shall rule upon the admissibility of the question, and if the Chair rules favourably, the member who raised the question of privilege shall be permitted to pursue the said question.
- (3) When the Chair is called upon to decide a point of order or to answer a point of procedure, the point shall be stated without unnecessary comment, and the Chair shall state the rule or authority applicable in the case.
- (4) When a point of order is raised, and when a member is called to order from the Chair, the member speaking shall immediately be seated and remain seated until the Chair has decided the point raised.
- (5) The member raising a point of order may be granted permission to explain the point.
- (6) Whenever the Chair is of the opinion that any motion offered to Council is contrary to the rules of Council, he shall advise the members thereof immediately, and quote the rule or authority applicable, and no argument or comment shall be permitted.
- (7) The decision of the Chair shall be final, unless a challenge is made pursuant to Subsection 42(1) of this Bylaw.

Challenge to the Chair

42. (1) Whenever a member wishes to challenge the ruling of the Chair:
- (a) the Motion of Appeal, "That the decision of the Chair be overruled" shall be made;

- (b) the member may offer a brief reason for the challenge;
 - (c) the Chair may state the reason for the decision; and,
 - (d) following which the question shall be put immediately without debate.
- (2) The Chair shall be governed by the vote of the majority of the members present.

Calling a Member to Order

43. When the Mayor or presiding member calls a member to order, the member shall resume his seat, but may afterwards explain his position in making the remark for which he was called to order.

PART V MOTIONS

Motions in Council

44. (1) A motion shall be worded in the affirmative and shall express fully and clearly the intent of the mover and shall not be preceded by any preamble or whereas clauses.
- (2) A motion is not properly before Council and shall not be considered unless it has been seconded, except:
- (a) when Council is in Committee of the Whole, in which case the motion only requires a mover; or,
 - (b) when the motion is an appeal of the decision of the Chair, only a mover is required.
- (3) Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.

- (4) After a motion has been moved and seconded, it is the property of Council and may not be withdrawn without the permission of the majority of Council.
- (5) When a motion has been made and seconded, and is being considered by Council, no member may make any other motion, except a motion to:
 - (a) amend a motion;
 - (b) withdraw a motion;
 - (c) refer a main motion to some other person or group for consideration;
 - (d) postpone it indefinitely;
 - (e) extend the time;
 - (f) adjourn a motion to a fixed date or sine die;
 - (g) request that a motion be put to a vote;
 - (h) table a main question; or,
 - (i) adjourn the meeting.

Motion to Table

45. (1) A member moving a motion to table any matter, shall include in the tabling motion an indication of when the matter is to be brought from the table at the same meeting and it is not necessary for a motion to be placed to bring the matter forward at that time.
- (2) A motion to table a matter shall not be debated, except as to the time when Council will again consider the matter.

Motion to Postpone

46. (1) If a majority of Council decides to postpone a motion to a fixed date, the motion cannot be considered by Council until the fixed date.
- (2) Notwithstanding Subsection (1), Council may consider a postponed motion before the fixed date if a majority of members agree that the motion may be considered before that date.

- (3) The only amendment allowed to a motion to postpone to a fixed date is to change the date.

Motion to Refer

47. (1) A motion to refer a matter shall not be amended or debated except with respect to the conditions of the referral or the time required to carry out the review. The substantive issue of the item being referred shall not be debated.
- (2) A member making a referral motion generally should include in the motion:
 - (a) the terms on which the motion is being referred; and,
 - (b) the time when the matter is to be returned.
- (3) Notwithstanding any other provisions of this Bylaw, a member, after a motion has been made and seconded, may, with the consent of Council:
 - (a) on his own initiative while he is speaking on the same; or,
 - (b) when requested by another member speaking on the motion; change the wording of the motion, or agree to a change proposed by another member, if the alteration does not change the intention of the motion.

Motion Containing Distinct Propositions

48. (1) A motion containing several distinct propositions is not out of order for that reason alone.
- (2) Where a motion contains two or more propositions, and when:
 - (a) a member so requires; or,
 - (b) the Mayor or presiding member so orders:Council shall vote on each proposition separately.

Motion Out of Order

49. (1) When the Mayor or presiding member decides a motion is out of order, he shall so advise Council and shall cite the rule or authority applicable thereto.
- (2) Any member may appeal the ruling of the Chair, pursuant to Section 42 of this Bylaw.

Motion to Adjourn

50. (1) A member may move a motion to adjourn a meeting at any time, except when:
 - (a) another member is in possession of the floor;
 - (b) a call for a recorded vote has been made;
 - (c) the members are voting;
 - (d) Council is in Committee of the Whole; or,
 - (e) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.
- (2) A motion to adjourn shall be put without comment or debate, but a motion to adjourn Council or the debate to a given day may be amended and is open to debate, however, it is only debatable as to the advisability of the change of time or date.

Amendments

51. (1) While a motion is under discussion by Council, a member may not move an amendment which:
 - (a) does not relate to the subject matter of the principal motion; or,
 - (b) is directly contrary to the principal motion.
- (2) The Mayor or presiding member shall allow only one (1) amendment at a time to the principal motion before Council and only one (1) amendment to that amendment may be allowed at a time.

- (3) The Mayor or presiding member shall not put the principal motion under debate until all amendments have been voted upon.
- (4) The Mayor or presiding member shall consider amendments in the reverse order to which they have been moved.
- (5) When all amendments are voted upon, the Mayor or presiding member shall put the principal motion, incorporating any amendments already adopted thereto.

Debate on Motion

52. (1) No member may speak twice on any motion, until each member has been provided with an opportunity of speaking on the motion, except under the following circumstances:
- (a) when members feel that they have been misquoted or misunderstood, they may, after receiving permission from the Mayor or presiding member, explain a part of the speech, but may not introduce any new matter and there shall be no debate on the explanation;
 - (b) when members have moved a motion, other than a motion that the main question before the Council be immediately put to a vote, they may close the debate after all other members have been given an opportunity to speak; or,
 - (c) before the debate has been closed, and the question called, provided no other member has the floor, a member may, during the debate:
 - (i) ask a question which:
 - (a) relates directly to the debate;
 - (b) contains no argument; and,
 - (c) introduces no new material on the motion; or,
 - (ii) request that the motion, or a part thereof, be read aloud.
- (2) No member shall speak longer than five (5) minutes on an original motion before Council.

- (3) When the Mayor or presiding member wishes to make a motion or participate in the debate, he shall vacate the Chair and request the Deputy Mayor, or the Acting Deputy Mayor if the Deputy Mayor is not in attendance, to take the Chair and the Mayor or presiding member may remain out of the Chair until the motion has been dealt with.
- (4) When a member has closed debate, the Mayor or presiding member shall put the motion to a vote without further discussion or debate.
- (5) When the motion has been declared put, no member shall debate further on the question or speak any words except to request that the motion be read aloud.
- (6) It shall be the duty of the Mayor or presiding member to determine what motions or amendments are in order, subject to an appeal to Council, and decline to put any motion before Council which he deems to be clearly out of order or contrary to law.

Withdrawal of Motions

53. The mover and seconder of a motion may withdraw it at any time prior to a vote being taken or prior to the motion being made.

Request that Motion be put to Vote

54. (1) A motion requesting that a motion be put to a vote can not be moved or seconded by a member who has spoken to the original motion.
- (2) A motion requesting that a motion be put to a vote cannot be amended or debated.
- (3) If a motion requesting that a motion be put to a vote is passed by Council, the original motion shall immediately be put to a vote of Council without any amendment or debate.
- (4) If a motion requesting that a motion be put to a vote is not passed by Council, the original question may be amended or debated.

Voting on Motions

55. (1) A question or motion shall be declared lost when it:
- (a) does not receive a majority vote;
 - (b) does not receive the required number of votes; or,
 - (c) receives an equal division of votes.
- (2) Where members have a pecuniary interest in a matter before Council, the member shall, if present:
- (a) declare the general nature of the pecuniary interest before any discussion on the matter;
 - (b) abstain from voting on any question relating to the matter; and,
 - (c) subject to the right of the member to be heard as a taxpayer, an elector, or an owner, leave the room in which the meeting is being held until discussion and voting on the matter is concluded.
- (3) If the matter with respect to which a member has a pecuniary interest is the payment of an account for which funds have previously been committed, it is not necessary for the member to leave the room.
- (4) No member shall attempt in any way, whether before, during or after the meeting, to influence the voting on any question involving a matter in which he has a pecuniary interest.

Recorded Vote

56. (1) Prior to a vote being taken by Council, any member may request that the vote be recorded.
- (2) In the event a member requests that a matter be recorded:
- (a) the Mayor or presiding member shall, following the question being put, state the name of each member voting for, and each member voting against, the matter; and,
 - (b) the Clerk shall record in the minutes the names of each member present and whether or not each member voted for or against the matter.

- (3) Once the result of the vote on the motion has been announced, no member shall change his vote without the unanimous consent of the other members present.
- (4) When a recorded vote is taken, a member shall vote separately but, in every other case, the decision of Council may be expressed by a show of hands.

Reconsidering and Rescinding a Motion

57. (1) When members wish Council to reconsider, alter or rescind any motion already passed at a previous meeting, and when such matter does not appear on the Agenda, they shall bring the matter before Council by a Notice of Motion, which shall:
 - (a) be submitted to the Clerk in writing and duly signed by the member for consideration at a regular meeting preceding the meeting at which they wish to reconsider the matter;
 - (b) specify the meeting at which they propose to bring the matter to Council; and,
 - (c) indicate in the substantive portion of the motion the action which they wish to propose that Council shall take on the matter.
- (2) A motion to rescind or reconsider a resolution or Bylaw will also be considered by Council on the recommendation of a Council Committee or the administration.
- (3) Council may by a two-thirds (2/3) vote of the members present waive the requirement for Notice pursuant to Subsection (1).
- (4) When Council wishes to reconsider any action taken on the subject matter of any motion passed at the same meeting, a member voting with the majority may move to reconsider the matter, and if a majority of the members vote for reconsideration, the matter may again be dealt with at the same meeting.
- (5) Notwithstanding anything provided in this section, where pursuant to any motion duly passed by Council, the City has a contractual liability or

obligation, Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to void or interfere with the liability or obligation.

PART VI COMMITTEES, COMMISSIONS AND BOARDS

Procedure for Appointments

58. (1) Prior to November 1st of each year, the Clerk shall, by advertisement, invite submissions from the public for appointments to all Committees, Commissions and Boards to which Council is entitled to make appointments to in the ensuing year.
- (2) The Clerk shall obtain information from the various Committees, Commissions and Boards that Council is entitled to make appointments to in the ensuing year regarding the dates and times of their regular meetings and the attendance by Council appointed representatives in the previous year.
- (3) The Clerk shall compile all information indicated in Subsection (1) and (2), along with a list of all the Committees, Commissions and Boards to which Council is entitled to make appointments to in the ensuing year and provide the compiled information to Committee of the Whole Council Incamera.
- (4) Committee of the Whole Council, while meeting Incamera, shall develop recommendations for Committee, Commission and Board memberships, including recommendations for the Chair of Committees, Commissions and Boards established by City Council.
- (5) Following the Committee of the Whole Council's Incamera review of the applications, Committee of the Whole Council Incamera shall report the approved list for the next ensuing year to City Council.

Term

59. (1) (a) Other than in a regular Municipal Election year, appointments to Committees, Commissions and Boards shall be for a calendar year, with possible reappointment from year to year, unless otherwise determined by the specific appointment.
- (b) In a regular Municipal Election year the term of appointment for Committee, Commission and Board members may be reduced to ten (10) months to coincide with the expiration of the existing City Council term.
- (c) Notwithstanding Subsection (a) and (b) the term of the 2004/2005 City Council Appointments to its various Committees, Commissions and Boards shall be extended to December 31, 2005.
- (2) Council may, in its discretion, revoke the membership of any individual whom they have appointed to a Committee, Commission or Board.

Standing Committee

60. (1) Council hereby establishes the following Standing Committee and its functions:
- (a) Executive Committee
- (i) planning and policy development for all activities related to the City; and,
- (ii) considering any other related matters referred to the Committee by City Council, the Mayor or the City Manager.
- (2) The Executive Committee shall be composed of all members of Council.
- (3) The Chair of the Executive Committee shall be the Deputy Mayor.
- (4) The City Manager is an advisor on the Executive Committee.
- (5) The Executive Committee shall meet on the 1st and 3rd Monday of each month, commencing at a designated time approved by the Committee, in the Council Chamber of the City Hall.

- (6) In the months of February, July, August and December, the Executive Committee shall meet only on the 1st Monday of the month.
- (7) The Executive Committee shall assume responsibility for making recommendations to City Council regarding the City's Strategic Plan Initiatives.

Committees, Commissions and Boards of Council

61. (1) Council may from time to time establish a Committee, Commission or Board in response to specific issues requiring immediate or long term attention.
- (2) The membership and jurisdiction of a Committee, Commission and Board shall be as provided for in the enabling legislation or as directed by Council.
- (3) The Mayor is an ex-officio voting member of all Committees, Commissions and Boards established by Council pursuant to the Act, unless Council provides otherwise, and when in attendance, possesses all of the rights, privileges, powers and duties of other members, whether elected or appointed.
- The Mayor's attendance shall not, however, be included for the purpose of determining a Quorum.
- (4) Advisory Officials shall act only in an advisory capacity to Committees, Commissions and Boards of Council and shall not be considered voting members or have any voting privileges in respect to participation on any Committee, Commission or Board appointment.
- (5) The Chair of all Committees, Commissions and Boards established by Council shall be a member of Council, unless Council directs otherwise.
- (6) All members of Council may attend the meetings of Committees, Commissions and Boards established pursuant to Section 55(a) of the Act, and may take part in the proceedings of the same, except that non-Committee, Commission or Board members shall not have a vote.

- (7) Each Committee, Commission and Board shall meet as soon as possible after it has been appointed and where a Chair has not been appointed by Council, members of that Committee, Commission or Board shall select a Chair and Vice-Chair, and if required, decide the day and time for holding its regular meetings.
- (8) The Chair shall preside at every meeting and shall have a vote on all questions.
- (9) In the absence of the Chair, the Vice-Chair shall preside, and in the absence of both the Chair and the Vice-Chair, one (1) of the other members of the Committee, Commission or Board shall be elected to preside, and shall discharge the duties of the Chair or Vice-Chair during the meeting or until the arrival of the Chair or Vice-Chair.
- (10)
 - (a) Subject to Subsection (b), all Committees, Commissions and Boards shall conduct their meetings in public.
 - (b) Committees, Commissions and Boards may close all or any part of their meetings to the public if the matter to be discussed is within one (1) of the exemptions of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*, which is Schedule "A", attached to and forming part of this Bylaw.
 - (c) If a Committee, Commission or Board while meeting Incamera, is of the opinion that a particular Agenda item should not be considered Incamera, the Committee, Commission or Board shall not consider or deal with that item but shall:
 - (i) Direct that it be placed on the Public Agenda of the next meeting of the Committee, Commission or Board; or,
 - (ii) Refer it directly to Council.
- (11)
 - (a) Notice of regularly scheduled Committee, Commission and Board meetings is not required to be given unless the Committee, Commission or Board changes the date, time or place of a regularly scheduled meeting.

- (b) If a Committee, Commission or Board changes the date, time or place of a regularly scheduled meeting, at least twenty-four (24) hours notice of the change will be given to:
 - (i) any members of the Committee, Commission or Board not present at the meeting at which the change was made; and,
 - (ii) the public.
- (12) For Committees, Commissions and Boards operating without regularly scheduled meeting, it shall be the duty of the Chair, or in his/her absence from the City, the Secretary of the Committee, Commission or Board, to summon a special meeting of the Committee, Commission or Board whenever requested in writing to do so by a majority of the Committee, Commission or Board.
- (13) The business of Committees, Commissions and Boards, shall be conducted in accordance with the rules governing the procedure of Council, except for the following:
 - (a) no motion shall be required to be seconded;
 - (b) members of the Committee, Commission or Board shall not be required to stand when speaking;
 - (c) there shall be no limit to the number of times a member may speak to a question; and,
 - (d) the Committee, Commission or Board decision shall be that of the majority of the members of the Committee, Commission or Board present and voting on the question.
- (14) Each Committee, Commission or Board, whom the Clerk does not provide secretarial services to, will recommend to the Clerk the appointment of a Secretary, who will be responsible for:
 - (a) tracking the attendance;
 - (b) preparing meeting Agendas and minutes; and,
 - (c) reporting the Committee's, Commission's or Board's decisions to Council, Committee of the Whole Council Incamera, or a Standing Committee of Council.

- (15) When a person, or a group of persons, wishes to bring any matter to the attention of a Committee, Commission or Board and appear as a delegation, a letter or other communication, shall be addressed to the Clerk or the Secretary of the Committee, Commission or Board and will be subject to the requirements set out in Subsection 22(1) and 23(2) of this Bylaw.
- (16) Reporting to Committees, Commissions and Boards shall be provided through the Clerk or the Secretary of the Committee, Commission or Board.
- (17) At least twenty-four (24) hours prior to each Committee, Commission or Board meeting the Clerk or the Secretary to the Committee, Commission or Board shall:
- (a) deliver to each member of the Committee, Commission or Board, the Mayor, each Advisor to the Committee, Commission or Board and the Clerk a copy of both the Incamera and public portion of the Agenda; and,
 - (b) place the public portion of the Agenda on the City's website.
- (18) When a Committee, Commission or Board is meeting and if the Quorum is lost, the meeting shall stand adjourned.
- (19) Any unfinished business remaining at the time of the adjournment shall be considered at the next regular meeting of the Committee, Commission or Board or at a special meeting called for that purpose.
- (20) (a) The Clerk or the Secretary of each Committee, Commission or Board shall:
- (i) record the minutes, without note or comment; and,
 - (ii) not record the names of the members of the Committee, Commission or Board voting on items.
- (b) The minutes of the Committee, Commission or Board shall be accurately entered in a book or file provided for that purpose, and at each meeting the minutes of the preceding meeting shall be submitted for confirmation.

- (c) After the minutes have received approval of a majority of the members present, they shall be signed by the Chair and Clerk or Secretary. Once signed, the original minutes shall be forwarded to the Clerk for safekeeping.
 - (d) All minutes, once approved, shall be open for inspection by the public, with the exception of the minutes of an Incamera portion of any meeting.
- (21) No member shall release or otherwise make public any information considered at an incamera meeting, including discussion of the content of such a meeting with persons other than with members of Council or with civic staff who are privy to that information:
- (a) unless authorized by Council; or,
 - (b) until the matter is included on a Public Agenda of Council.
- (22) Every Committee, Commission or Board shall report to City Council, Committee of the Whole Council Incamera or a Standing Committee and no action of any Committee, Commission or Board shall be binding on the City unless:
- (a) power to take such action is expressly conferred on the Committee, Commission or Board by Legislation, Bylaw or Resolution of Council; or,
 - (b) Council has considered the Report of the Committee, Commission or Board and if adopted, shall become the resolve of Council.
- (23) The conduct of delegations or the public at Committee, Commission and Board meetings, which they are entitled to attend, shall be subject to the requirements as set out in Section 39 of this Bylaw.
- (24) The conduct of members of Council's Committees, Commissions and Boards, along with Advisory Officials and members of Administration shall be subject to the requirements as set out in Section 40 of this Bylaw.

**PART VII
MISCELLANEOUS**

Repeal of Bylaws & Resolutions

62. (1) Bylaw No. 10 of 2003 and all amendments thereto are hereby repealed.
(2) All City Council Resolutions adopted to amend the procedures of Council or Bylaw No. 10 of 2003 that have not been incorporated into Bylaw No. 10 of 2005 are hereby superceded.

Coming Into Force

63. This Bylaw shall come into force and take effect on, from and after the final reading thereof.

INTRODUCED AND READ A FIRST TIME THIS 24 DAY OF October AD 2005.

READ A SECOND TIME THIS 24 DAY OF October AD 2005.

READ A THIRD TIME AND PASSED THIS 7 DAY OF November AD 2005.


MAYOR


CITY CLERK

SCHEDULE "A"

List of Exemptions In Part III of

The Local Authority Freedom of Information and Protection of Privacy Act

The following information is confidential and the proceedings of City Council or any committee of Council may be held in-camera for the purpose of obtaining or discussing such information:

1. Information obtained in confidence, either implicitly or explicitly, from another level of government or another local authority.
2. Information, the release of which, could interfere or prejudice law enforcement or any lawful investigation or be injurious to the conduct of existing or anticipated legal proceedings.
3. A record which contains a draft Bylaw or resolution.
4. In-camera agendas or deliberations which include personal information.
5. Records which may contain:
 - (a) advice, proposals, recommendations, analysis or policy options developed by, or for, a local authority;
 - (b) consultations or deliberations involving officers or employees of the local authority;
 - (c) positions, plans, procedures, criteria or instructions developed for contractual or other negotiations by, or on behalf of, the local authority;
 - (d) plans that relate to the management of personnel or the administration of the local authority which have not been implemented; and
 - (e) information including proposed plans, policies or projects which may reasonably expect to result in disclosure of a pending policy or budgetary decision.
6. A record which could reasonably be expected to disclose:
 - (a) trade secrets;
 - (b) proprietary information;

- (c) information obtained through research by an employee, the disclosure of which, could be reasonably expected to deprive the employee of priority of publication;
 - (d) information, the disclosure of which, could reasonably be expected to interfere with contractual or other negotiations;
 - (e) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations;
 - (f) information, the disclosure of which, could reasonably be expected to prejudice the economic interest of the local authority; and
 - (g) information, the disclosure of which, could reasonably be expected to result in an undue benefit or loss to a person.
7. Third party information, which includes trade secrets of a third party or other information supplied in confidence to a local authority by a third party.
 8. Records that contain information relating to testing or auditing procedures or details of specific tests to be given or audits to be conducted, the disclosure of which could reasonably be expected to prejudice the use or results of the tests or audits.
 9. Any record, the disclosure of which could threaten the safety or physical or mental health of any individual.
 10. Records which contain information, which is subject to solicitor-client privilege.

City of Prince Albert — Office of The Mayor



PROCLAMATION
[Designated Name]
[Designated Dates]

WHEREAS, [recital(s)]

**THEREFORE, LET IT BE KNOWN THAT I [name of current Mayor],
Mayor of The City of Prince Albert, do hereby proclaim that
[designated dates] shall be known as:**

"[designated name]"

Dated at Prince Albert, Saskatchewan on the [date signed].

[name of current Mayor]